



DOCKET NO.: I0248.70015US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bachovchin et al.
Serial No.: 10/725,952
Confirmation No.: 3968
Filed: December 1, 2003
For: STIMULATION OF HEMATOPOIETIC CELLS IN VITRO
Examiner: Michael L. Borin
Art Unit: 1631

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 27th day of February, 2007.

Emily E. Zukauskas
Emily E. Zukauskas

MAIL STOP AMENDMENT
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

R. El-Hayek
Roque El-Hayek, Reg. No.: 55,151
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Boston, Massachusetts 02210-2206
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Docket No.: I0248.70015US01
Date: February 27, 2007
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MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office action, but before the mailing date of any final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

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PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Docket No.</u>
11/474,929	06-26-2006	Wallner et al.	*I0248.70016US02
11/522,105	09-15-2006	Jesson et al.	*I0248.70026US02

*A copy of this reference is not provided as the Office has waived the requirement under 37 C.F.R. 1.98(a)(2)(iii) for submitting a copy of a cited U.S. patent application if it is scanned to the Image File Wrapper system and is available on Private PAIR.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: 

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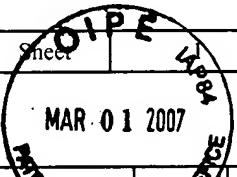
Docket No.: I0248.70015US01

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FORM PTO-1449/A and B (modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICATION NO.: 10/725,952	ATTY. DOCKET NO.: I0248.70015US01
		FILING DATE: December 1, 2003	CONFIRMATION NO.: 3968
		APPLICANT: Bachovchin et al.	
		GROUP ART UNIT: 1631	EXAMINER: Michael L. Borin

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U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A92	5,580,486		Labeque et al.	12-03-1996
	A93	5,780,454		Adams et al.	07-14-1998
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	A110	2006-0287245	A1	Wallner et al.	12-21-2006

FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B48	WO	97/40832	A1	Hans-Knöll-Institut für Naturstoff-Forschung	11-06-1997	Y-Abstract
	B49	WO	99/38501	A2	Trustees of Tufts University	08-05-1999	
	B50	WO	99/46272	A1	Fondatech Benelux N.V.	09-16-1999	
	B51	WO	99/61431	A1	Probiodrug Gesellschaft für Arzneimittelforschung MBH	12-02-1999	Y-Abstract
	B52	WO	99/67278	A1	Pro-Biodrug Gesellschaft für Arzneimittelforschung MbH	12-29-1999	Y-Abstract
	B53	WO	01/98468	A2	Incyte Genomics, Inc.	12-27-2001	

EXAMINER:	DATE CONSIDERED:
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449/A and B (modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/725,952	ATTY. DOCKET NO.: I0248.70015US01
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				APPLICANT: Bachovchin et al.	
				GROUP ART UNIT: 1631	EXAMINER: Michael L. Borin
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	B54	WO	03/045228	A2	Trustees of Tufts College, Brigham and Women's Hospital	06-05-2003	
	B55	WO	03/045977	A2	Trustees of Tufts College	06-05-2006	
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	B57	WO	2005/082348	A2	Trustees of Tufts College	09-09-2005	
	B58	WO	2005/106487	A1	Bayer Healthcare Ag	11-10-2005	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
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APPLICANT:	Bachovchin et al.		
GROUP ART UNIT:	1631	EXAMINER:	Michael L. Borin

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. ___, filed ___, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]

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